

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

In re:	§	MDL Docket No. 4:03CV1507WRW
	§	
PREMPRO PRODUCTS LIABILITY	§	ALL CASES
LITIGATION	§	
	§	

ORDER RE: Short Form Complaints

The Court hereby adopts a short form complaint procedure for substitution of parties on behalf of deceased Plaintiffs.

1. Any person who represents the interest of a deceased Plaintiff or the heirs of any deceased Plaintiff may, without seeking leave of court, file a short form complaint attached as Exhibit A.

2. The short form complaint may not add new defendants or reinstate claims against dismissed Defendants. The short form complaint may not add causes of action by new Plaintiffs that accrued prior to the death of the deceased Plaintiff. Any such additions will be void and do not require any response from Defendants.

3. Defendants' prior answers (including Master Answers) will serve as their answers to the new short form complaint. Any Defendant, at any time prior to trial, may challenge the ability of the new short-form plaintiff to represent the interest of a deceased Plaintiff or the heirs of any deceased Plaintiff. Any applicable restrictions on the recovery of damages by the short-form Plaintiff will apply without the need for further specific pleading or other response by Defendants until trial or further order of court.

ITS IS SO ORDERED THIS 25th day of October, 2005.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

In re: : **MDL Docket No. 4:03CV1507WRW**
: **Arkansas Case No. [Individual Case #]**
PREMPRO PRODUCTS LIABILITY :
LITIGATION :

[PLAINTIFF'S FULL NAME] **PLAINTIFF**

v.

[PLAINTIFF LISTS ALL RELEVANT
DEFENDANTS HERE] **DEFENDANTS**

SHORT FORM COMPLAINT
ON BEHALF OF DECEDENT PLAINTIFF

1. Plaintiff, _____ is deceased. Decedent Plaintiff is represented in this matter by Executor / Administrator / Trustee and/or Representative as follows:

Name: _____

Address: _____

Relationship to Decedent: _____

Executor / Administrator / Trustee and/or Representative Plaintiff represents Decedent Plaintiff in this matter and is also a Plaintiff in this matter personally. Any legal paperwork necessary under the appropriate state law to effectuate this representation is attached to this Short Form Complaint or, in the alternative, Plaintiffs plead as follows:

EXHIBIT A

2. The following Plaintiffs are also derivative Plaintiffs under the Wrongful Death / Survival actions pled in the Master Complaint:

Name: _____

Address: _____

Relationship to Decedent Plaintiff: _____

Name: _____

Address: _____

Relationship to Decedent Plaintiff: _____

3. Plaintiffs hereby adopt as if set forth verbatim herein the Plaintiffs' Master Complaint as well as all allegations or causes of action contained in the last live Complaint filed in this cause (which is entitled _____) if such last live Complaint differs from the Plaintiffs' Master Complaint as to the Defendants named in this Short Form Complaint only.

4. The claims of all Plaintiffs other than Decedent and those whose claims derive from Decedent's claims, if any, which are a part of the last live complaint in this cause are unaffected by this Short Form Complaint and continue to be governed by the last live complaint named above, unless and until that complaint is amended.

WHEREFORE, Plaintiffs pray for relief as set forth in the Plaintiffs' Master Complaint in In Re: Prempro Products Liability Litigation in the U.S. District Court for the Eastern District of Arkansas, Western Division, filed as of December 1, 2004, under MDL Number 4:03CV 1507 WRW and in this Short Form Complaint. Plaintiffs further seek all other relief to which they are entitled.

EXHIBIT A